

The Honorable Ronald B. Leighton

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

FEDERATED RURAL ELECTRIC  
INSURANCE EXCHANGE and TIG  
INSURANCE COMPANY,

Plaintiffs,

v.

PUBLIC UTILITY DISTRICT NO. 1 OF  
COWLITZ COUNTY, WASHINGTON, a  
Washington municipal corporation,

Defendant.

NO. CV04-05052 RBL

STIPULATION REGARDING  
ATTORNEY'S FEES AND COSTS  
THROUGH JULY 31, 2006

The undersigned counsel of record on behalf of their respective clients stipulate to the following:

1. On June 14, 2007, the Court ruled that Defendant Public Utility District No. 1 of Cowlitz County ("the District") was entitled to recover its reasonable attorneys' fees and costs incurred to prove coverage pursuant to *Olympic Steamship and Panorama Village*.

2. The parties have agreed on a compromised figure of \$850,000 as being a reasonable sum for all attorneys' fees and costs from February 4, 2004, through July 31, 2006.

3. The parties stipulate that the Court's 54(b) judgment shall include an award of attorneys' fees and costs for \$850,000 from February 4, 2004, through July 31, 2006.

4. The District has advised that it intends to pursue a recovery for attorneys' fees and costs from August 1, 2006, through the final conclusion of the captioned case, as part of its

STIPULATION REGARDING ATTORNEY'S  
FEES AND COSTS THROUGH JULY 31, 2006  
[CV04-5052RBL] - 1

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1 counterclaims against TIG Insurance Company for bad faith and violation of the Consumer  
2 Protection Act.

3 5. TIG has advised that it intends to oppose the District's counterclaims for bad faith  
4 and violation of the Consumer Protection Act and any effort to recover any attorneys' fees or  
5 costs after July 31, 2006, as part of those counterclaims.

6  
7 So Stipulated this 22<sup>ND</sup> DAY OF JUNE, 2007

8  
9 By: 

10 Arjang Victory (*Admitted Pro Hac Vice*)  
11 Jennifer Hoffman (*Admitted Pro Hac Vice*)  
12 Michael E. Ricketts WSBA #9387  
13 Counsel for Defendant PUD #1 of Cowlitz Co.

14 So Stipulated this 21<sup>ST</sup> DAY OF JUNE 2007

15  
16 By: 

17 Douglas G. Houser (*Admitted Pro Hac Vice*)  
18 Ron Clark (*Admitted Pro Hac Vice*)  
19 Maria Sotirhos WSBA #21726  
20 Counsel for Plaintiff TIG.